

Applicants: Donald R. Huffman, et al.

Serial No. 08/471,890

Docket: 7913ZY

Filing Date: June 7, 1995

Examiner: S. Hendrickson

Group Art Unit: 1754

Title: DECLARATION OF KRATSCHMER

#19/46
1/10/3

RECEIVED

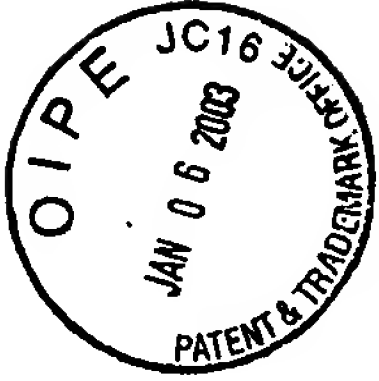
JAN 08 2003

TC 1700

RECEIVED

JAN 08 2003

TC 1700



PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Donald R. Huffman, et al. Examiner: P. DiMauro
Serial No.: 08/486,669 Art Unit: 1103
Filed: June 7, 1995 Docket: 7913zazyx
For: NEW FORM OF CARBON

Assistant Commissioner for Patents
Washington, DC 20231

DECLARATION

Sir:

I, WOLFGANG KRATSCHMER, declare and say as follows:

1. I am one of the co-inventors of the subject matter described and claimed in the above-identified application.
2. The other co-inventor of the subject matter described and claimed in the above-identified application is Donald R. Huffman.
3. It should be noted that Donald R. Huffman and I are professors at different institutions. Donald R. Huffman is a professor in the Department of Physics at the University of Arizona in Tucson, AZ while I am a professor at the Max Planck Institute for Kernphysik in Heidelberg, Germany.
4. Moreover, both of us are among the co-authors of an article entitled: "The infrared and ultraviolet absorption spectra of laboratory produced carbon dust: evidence for the present of the C₆₀ molecule" in Chemical Physics Letters, 1990, 167-170 (hereinafter referred to as the article).
5. In addition to myself and Donald R. Huffman, there is an additional co-author of the article described in the previous paragraph: K. Fostiropoulos.
6. While K. Fostiropoulos is a co-author of the publication, it is my opinion that and I have been advised by

counsel that he is not a co-inventor of the subject matter described and claimed herein.

7. At the relevant time, K. Fostiropoulous was a doctoral student conducting experiments in my research group in the laboratories at the Max-Planck Institute in Heidelberg, Germany towards completion of his doctorate from the University of Heidelberg in Germany.

8. Although K. Fostiropoulous performed experiments described in the article, those experiments described therein which he performed were conducted under my direction and supervision.

9. It is my opinion that and I have been advised by counsel that K. Fostiropoulous is not an inventor of the subject matter described in the publication.

10. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-referenced application or any patent issuing thereon.

Dated:

Sept. 10, 1997

W. Krätschmer
WOLFGANG KRATSCHMER